

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOSE ALBERTO MARTINEZ
HERNANDEZ, AGUSTIN VALERIANO,
and PRIXCO SORIANO, *individually and on
behalf of others similarly situated,*

Index No. 17-cv-2176

PROPOSED ORDER TO SHOW CAUSE

Plaintiffs,

-against-

EAST WINGERS INC. (d/b/a BEST
WINGERS) and KUNJ PATEL,

Defendants.

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Upon the declaration of Clela A. Errington, Esq. dated September 16, 2022 and attached exhibits, it is ORDERED:

That Defendants EAST WINGERS INC. (d/b/a BEST WINGERS) and KUNJ PATEL, shall appear to show cause before a motion term of this Court at Courtroom ____ of the United States Courthouse at 40 Foley Square, in the City, County and State of New York, on _____, 2022, at _____ o'clock in the _____ noon thereof, or as soon thereafter as counsel may be heard, why judgment of default should not be entered pursuant to Rule 55 of the Federal Rules of Civil Procedure against such Defendants; and it is further

ORDERED that service of a copy of this Order and annexed affirmation and exhibits upon the Defendants on or before ____ o'clock in the ____ noon on _____, 2022, by _____, shall be deemed good and sufficient service; and it is further

ORDERED that any opposition by Defendants be filed with this Court on or before ____ o'clock in the ____ noon on _____, 2022; and it is further

ORDERED that any reply papers by Plaintiff be filed with this Court on or before ____ o'clock in the ____ noon on _____, 2022; and it is further

ORDERED that the Defendants are advised that failure to respond to the Order to Show Cause may be grounds for the granting of a default judgment against them, in which event the defendants will have no trial; and it is further

ORDERED that the Plaintiff shall file proof of service of this Order to Show Cause by _____, 2022.

Dated: New York, New York

ISSUED: _____

HONORABLE ANDREW L. CARTER
UNITED STATES DISTRICT JUDGE

To:

East Wingers LLC
New York State, Department of State
Division of Corporations, State Records
and Uniform Commercial Code
99 Washington Avenue 6th floor
Albany, NY 12231

Kunj Patel
222 E. 34th St. Apt. 2205
New York, NY 1001